



A place where families and businesses thrive.

City Council Regular Meeting Minutes

Monday, September 12, 2022
Zoom Community Auditorium

***Minutes are unofficial until approved by City Council.
Council approved minutes as presented September 26, 2022.***

A. Call to Order:

Mayor Peter Truax called the regular City Council meeting to order at 7:00 p.m. via in-person and Zoom Webinar Video Conference. The meeting was held in a “hybrid” format allowing the public to attend both virtually and in-person in the Community Auditorium. Members of the public could observe the meeting **LIVE** on **Zoom Webinar** or on television on Tualatin Valley Community Television (TVCTV) Government Access Programming.

1. **ROLL CALL: COUNCIL PRESENT:** Donna Gustafson; Kristy Kottkey; Timothy Rippe; Mariana Valenzuela; Malynda Wenzl, Council President; and Peter Truax, Mayor.
COUNCIL ABSENT: Elena Uhing.
2. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Assistant City Manager/Finance Director; Jim Geering, Fire Chief; Bryan Pohl, Community Development Director (Zoom); Dan Riordan, Senior Planner; Rich Blackmun, Engineering Project Manager; and Anna Ruggles, City Recorder.
3. **Proclamation:**
 - *National Hispanic Heritage Month; Mes Nacional Del Patrimonio Hispano.*
4. **Forest Grove Firefighters' Badge Presentation**
Fire Chief Geering presented ceremonial badges to the following recipients:
 - William Murphy, Fire Captain
 - Joel Lubeck, Firefighter
 - Peter Smith, Fire Lieutenant
 - Matt Rawls, Fire Captain

B. Public Comment:

1. CC09-12-2022 Written Public Comments received by 3:00 p.m. on the day of the meeting were published in the Council Packet.

In-person Testimony:

1. Frank Kurpiel, Forest Grove, asked to consider repaving the alley entrance into the apartment complex located at 2622 Main Street.

2. Kate Hyneman, Forest Grove, referenced their e-mail, which was included in the August 22, 2022, Council Packet under Item 1. B. Written Public Comment.
3. Alvey (Al) Stubblefield, Forest Grove, referenced their e-mail dated August 27, 2022, which was included under Item 1. B. Written Public Comment.
4. Elizabeth Mathiesen, Forest Grove, referenced their e-mail dated September 12, 2022, which was included under Item 1. B. Written Public Comment.
5. Celine McCarthy, Gaston, opposed the expansion of the trail on the northside of Highway 47.

Zoom Testimony:

1. Omar Bernal, Forest Grove, testified via Zoom regarding the homeless encampments.

C. Consent Agenda:

1. Approve City Council Executive Session (Labor Negotiations) Meeting Minutes of August 22, 2022.
2. Approve City Council Work Session (Council Goals and Objectives Update) Meeting Minutes of August 22, 2022.
3. Approve City Council Regular Meeting Minutes of August 22, 2022.
4. Accept Historic Landmarks Board (HLB) Meeting Minutes of June 28, 2022.
5. Accept Planning Commission (PC) Meeting Minutes of July 18, 2022.
6. Accept Public Arts Commission (PAC) Meeting Minutes of June 6 and July 13, 2022.
7. Community Development Department Monthly Building Activity Report August 2022.

MOTION: Council President Wenzl moved, seconded by Councilor Kottkey, to approve the Consent Agenda as presented. **VOICE VOTE:** AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. **MOTION CARRIED 6-0.**

D. Additions/Deletions:

1. City Manager – none.
2. Proposed by Councilors:

E. Presentations:

1. **Susan McLain, State Representative, District 29**

Presented a handout highlighting District 29 titled: *“Rep. McLain’s Interim Update, Fall 2022”*.

2. **Tourism 2021/22 Annual Report Juanita Lint, Forest Grove/Cornelius Chamber of Commerce Executive Director**

Presented a PowerPoint presentation highlighting the Tourism 2021/22 Annual Report, which included marketing; website and social media; events; partnerships; and looking forward. In addition, Lint showcased a video titled: [*“Discover Forest Grove 2022 – YouTube”*](#).

3. Civil Engineering Cooperative (CECOP) Internship

Blackmun introduced Zoe Morrison, Intern, who presented a PowerPoint presentation highlighting the 2022 CECOP Engineering Intern Accomplishments. The City of Forest Grove has been an industry member of the program for six years. Morrison is the sixth CECOP intern hired by the City of Forest Grove. Morrison worked on various projects and performed numerous construction inspections and exceeded the expectations for the quantity and quality of the work that was completed during the six-month civil engineering internship.

F. Public Hearings, Ordinances, and Resolutions:

1. **SECOND READING OF ORDINANCE NO. 2022-04 AMENDING FOREST GROVE CODE OF ORDINANCES TITLE V (PUBLIC WORKS), CHAPTER 50 (WATER), §50.25 THROUGH §50.31, RELATING TO WATER SUPPLY CROSS-CONNECTION CONTROL POLICY; AND REPEALING ORDINANCE NO. 1986-07**

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of the August 22, 2022, and explained the hearing procedures.

Staff Report:

Blackmun presented the above-proposed ordinance for second reading, noting staff had nothing more to report. In conclusion of the above-noted staff report, Blackmun advised staff is recommending Council approve the proposed ordinance for second reading, as outlined in Exhibit A.

Written Testimony Received:

No additional written testimony was received.

Proponents:

No one testified.

Opponents:

No one testified.

Others:

No one testified.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Mayor Truax asked for a motion to adopt Ordinance No. 2022-04 for second reading.

VanderZanden read Ordinance No. 2022-04 by title for second reading.

MOTION: Councilor Rippe moved, seconded by Councilor Gustafson, to adopt Ordinance No. 2022-04 Amending Forest Grove Code of Ordinances Title V (Public Works), Chapter 50 (Water), §50.25 through §50.31, relating to Water Supply Cross-Connection Control Policy; and repealing Ordinance No. 1986-07.

Council Discussion:

Hearing no concerns or discussion from the Council, Mayor Truax asked for a roll call vote on the above motion for second reading.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

2. **SECOND READING OF ORDINANCE NO. 2022-05 AMENDING FOREST GROVE TRANSPORTATION SYSTEM PLAN AFFECTING NORTH-CENTRAL FOREST GROVE; FILE NO. 311-22-000026-PLNG**

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of the August 22, 2022, and explained the hearing procedures.

Declaration of Ex-parte Contacts, Conflicts of Interest, or Abstentions:

Wenzl reported that Morelli, who testified (below), is her father-in-law, noting she has no conflict of interest or bias and is able to make an informed decision.

Challenges from Parties:

There were no challenges from the audience.

Staff Report:

Riordan presented the above-proposed ordinance for second reading, noting staff received additional written testimony, which is noted below. Riordan addressed the possible future vacation of Oak Street, north of the substations, noting the vacate application process will occur separately and require City Council approval. As such, approving the proposed TSP amendments will not vacate the Oak Street right-of-way. Riordan advised that applications for approval of industrial uses are reviewed and approved by City staff based on approval criteria and development standards contained in the Forest Grove Development Code, noting the review of a development proposal will occur through a separate process only after a land use application is submitted to the City for review. Staff decisions are appealable to the Planning Commission and Planning Commission decisions are appealable to City Council. In conclusion of the above-noted staff report, Riordan advised staff is recommending Council

approve the proposed ordinance for second reading, as outlined in Exhibit A and Exhibit B, Planning Commission Findings and Decision No. 2022-07.

Written Testimony Received:

Nathan Brown, Manager, Public Affairs, Hubbell Communications, Portland, submitted a letter dated August 29, 2022, addressing concerns raising at the Council meeting of August 22, 2022, regarding the project team's outreach efforts and their commitment to ensure all necessary stakeholders have the most up-to-date information throughout the process.

Janeen Sollman, Oregon State Senator, District 15, submitted a letter dated September 1, 2022, advocating for the application from Rowan Digital Infrastructure to amend the TSP to preserve a large industrial parcel in Forest Grove and commending the applicant's commitment to comprehensive outreach.

Proponents:

David Shiflett, Rowan Digital Infrastructure, applicant, addressed the application from Rowan Digital Infrastructure to amend the TSP and proposal to vacate Oak Street, noting they are looking at all options.

No one testified.

Opponents:

No one testified.

Others:

David Morelli, Forest Grove, voiced concerns pertaining to the hardship it will cause by closing Oak Street at Highway 47 intersection and re-routing vehicular traffic.

No one else testified.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Mayor Truax asked for a motion to adopt Ordinance No. 2022-05 for second reading.

VanderZanden read Ordinance No. 2022-05 by title for second reading.

MOTION: Councilor Gustafson moved, seconded by Councilor Rippe, to adopt Ordinance No. 2022-05 Approving Amendments to Forest Grove Transportation System Plan Affecting Pedestrian, Bicycle, and Street Networks in the Highway 47/Oak Street Area; File No: 311-22-000026-PLNG.

Council Discussion:

Hearing no concerns or discussion from the Council, Mayor Truax asked for a roll call vote on the above motion for second reading.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

3. RESOLUTION NO. 2022-59 ACCEPTING 2022 DOWNTOWN FOREST GROVE PARKING MANAGEMENT PLAN

Staff Report:

Riordan presented the above-proposed resolution for Council consideration, noting the proposed resolution is accepting the 2022 Downtown Forest Grove Parking Management Plan, Final Report dated June 14, 2022, as outlined in Exhibit A. Riordan reported at the Council meeting of March 21, 2022, the City's parking consultant (Studio Davis LLC) provided a presentation to Council highlighting the results of the comprehensive parking management plan for downtown, which included an assessment of on-street parking use while Pacific University was in session and 21st Avenue Festival Street mitigation for reduction of stalls. Subsequently, Studio Davis finalized the Plan for City acceptance. In conclusion of the above-noted staff report, Riordan advised staff is recommending Council adopt the proposed resolution, as outlined in Exhibit A, noting there is no fiscal impact. Funding decisions regarding specific improvements identified in the Plan will be made as part of the annual budget process.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2022-59.

VanderZanden read Resolution No. 2022-59 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Rippe, to adopt Resolution No. 2022-59 Accepting 2022 Downtown Forest Grove Parking Management Plan.

Council Discussion:

There was discussion pertaining to addressing inefficiencies that could be ameliorated through signage, parking permits and other policy measures. Suggestions made include providing general education; conducting ongoing maintenance and making sure that city parking lots are well-lit to improve safety concerns so nearby employees and shopkeepers use the lots; issuing parking permits; and branding/signage to encourage utilization of parking lots, such as asking the public to name city parking lots.

Mayor Truax referenced correspondence he received from Pacific University students voicing parking concerns, noting perhaps providing general information would help address concerns.

Hearing no further concerns or discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

4. RESOLUTION NO. 2022-60 AUTHORIZING THE CITY MANAGER TO APPLY FOR A \$18,852,000 “SAFE STREETS FOR ALL” FEDERAL GRANT AND COMMIT \$3,770,400 IN TRANSPORTATION DEVELOPMENT TAX FUNDS TO COMPRISE THE 20% MATCHING REQUIREMENT

Staff Report:

VanderZanden presented the above-proposed resolution for Council consideration, noting staff has been working with CFM, consultant, to prepare an application for the East Forest Grove Safety Improvement Project. The “*Safe Streets for All*” grant program was established in the recently passed Bipartisan Infrastructure Bill, which provides up to \$6 billion in grants over the next five years. The grant application period for this year’s is September 15, 2022. The City is requesting \$15,081,600 in federal funding for the above improvements and is requesting \$3,770,400 in matching funds to meet the obligatory 20 percent match for a total grant application and project cost of \$18,852,000. The matching funds would come from the Transportation Development Tax (TDT) Fund. The TDT is limited to new or expansion projects and the above-noted project qualifies. The TDT has a balance of approximately \$16 million of which \$11 million is unobligated and available for priority projects such as this project. In conclusion of the above-noted staff report, VanderZanden advised staff is recommending Council adopt the proposed resolution, as outlined in Exhibit A, noting if approved, the matching amount will be amended in the TDT budget and the 5-year Capital Improvement Plan.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2022-60.

VanderZanden read Resolution No. 2022-60 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Valenzuela, to adopt Resolution No. 2022-60 Authorizing the City Manager to Apply for a \$18,852,000 “*Safe Streets For All*” Federal Grant and Commit \$3,770,400 in Transportation Development Tax Funds to Comprise the 20% Matching Requirement.

Council Discussion:

Hearing no concerns or discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Gustafson, Kottkey, Rippe, Valenzuela, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

G. Council Communications:

1. Councilor Reports:

Gustafson briefed on community-related activities.

Kottkey read Poem #4 to Mayor Truax, which was written by Police Chief Reimann.

Rippe reported Economic Development Commission canceled its August meeting.

Valenzuela reported Public Arts Commission is canceling its September meeting.

Uhing was absent.

Council President Wenzl reported Parks and Recreation Commission canceled its August meeting. In addition, Wenzl reported Committee for Community Involvement is planning its next Quarterly Town Meeting on Homelessness and Police Chief Recruitment and is looking at potential dates in late October, 2022.

2. City Manager's Report

VanderZanden briefed on department-related activities and Council calendar updates. VanderZanden reported on upcoming work sessions scheduled for the next Council meeting agenda on September 26, 2022, to discuss the Oregon Department of Land Conservation and Development's Climate-Friendly and Equitable Communities Rulemaking and City Charter Review process, noting the City Attorney's Office will be attending to conduct the work sessions. Lastly, VanderZanden briefed on the Development Services Annex and City Hall remodel projects, noting City Hall staff will be relocation to a new (unknown) location in November.

3. Mayor's Report

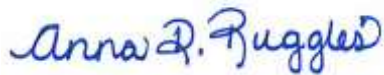
Mayor Truax briefed on Metro and Washington County-related meetings and matters of interest. Mayor Truax reported attending meetings with Portland General Electric regarding the Public Safety Power Shutoffs (PSPS) to minimize the risk of wildfires, noting Forest

Grove was not impacted but had extensive preparation. Mayor Truax reported attending the Forest Grove Fire and Rescue memorial service for the anniversary of September 11 at the Community Flag Pole. In addition, Mayor Truax reported on other upcoming meetings and community-related events.

H. Adjournment:

Mayor Truax adjourned the regular Council meeting at 9:57 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder